

REMARKS

The Examiner refused to consider foreign references of Applicants' Information Disclosure Statements (IDS) filed on August 11, 2006, and March 16, 2005, "because no written English-language translations on the non-English-language documents were provided." (Office Action at 2.) Applicants respectfully disagree and submit that "[w]here the information listed is not in the English language, but was cited in a search report or other action by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the search report or action which indicates the degree of relevance found by the foreign office." M.P.E.P. § 609.04(a)(III), emphasis added. Because Applicants have already submitted a European Search Report in the IDS filed on August 11, 2006, and an English version of Notification of Reasons for Rejection issued by Japanese Patent Office in the IDS filed on March 16, 2005, written English-language translations of the cited foreign patent documents should not be required. Accordingly, Applicants respectfully request the Examiner consider the foreign documents listed in above IDSs by making appropriate notations on their attached forms.

By this Amendment, Applicants cancel claims 1, 3, and 4 without prejudice or disclaimer to the subject matter thereof. Upon entry of this Amendment, claims 5-10, 14, and 16-18 will remain pending.

In the Final Office Action, the Examiner allowed claims 5-10, 14, and 16-18, and rejected claims 1, 3, and 4 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0009705 to Thelander et al. ("Thelander").¹

Applicants thank the Examiner for allowing claims 5-10, 14, and 16-18. Applicants respectfully traverse the Examiner's rejection of claims 1, 3, and 4 under 35 U.S.C. § 102(e) as being anticipated by Thelander. However, to expedite the prosecution of this application, Applicants have canceled claims 1, 3, and 4. Therefore, the Section 102(e) rejection of claims 1, 3, and 4 is moot, and all remaining claims are placed in condition for allowance.

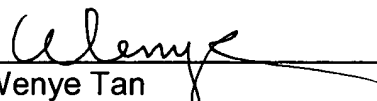
Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 5-10, 14, and 16-18 in condition for allowance, and respectfully request an timely issuance of the Notice of Allowance.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: December 22, 2006

By: 
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¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.